

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

D'ANDRE ALEXANDER,

Plaintiff,

v.

EDWARD NIETZEL,

Defendant.

Case No. 16-12071

Honorable Nancy G. Edmunds

**ORDER AND OPINION ACCEPTING THE MAGISTRATE JUDGE'S July 10, 2018
REPORT AND RECOMMENDATION [50]**

Currently before the Court is the magistrate judge's July 10, 2018 report and recommendation that Defendant's motion for summary judgment (Dkt. 42) be DENIED. The Court is fully advised in the premises and has reviewed the record and the pleadings. Neither party has filed objections. Defendant filed a notification of non-filing objections on July 31, 2018 stating "Defendant's counsel does not believe any potential objection would obtain appreciable result, and therefore no objections will be filed on behalf of Defendant." (Dkt. 52, at 1-2; PgID 394-95.) "[T]he failure to object to the magistrate judge's report[] releases the Court from its duty to independently review the matter." *Hall v. Rawal*, 09-10933, 2012 WL 3639070, at *1 (E.D.Mich. Aug. 24, 2012) (citation omitted). The Court nevertheless agrees with the magistrate judge's recommendation. The Court therefore ACCEPTS and ADOPTS the magistrate judge's report and recommendation.

It is further ordered that Defendant's Motion for Summary Judgment [42] is hereby DENIED.

SO ORDERED.

s/Nancy G. Edmunds
Nancy G. Edmunds
United States District Judge

Dated: August 2, 2018

I hereby certify that a copy of the foregoing document was served upon counsel of record on August 2, 2018, by electronic and/or ordinary mail.

s/Lisa Bartlett
Case Manager